

Message Text

CONFIDENTIAL

PAGE 01 MOSCOW 16802 181657Z
ACTION EUR-12

INFO OCT-01 ISO-00 SS-15 SP-02 L-03 SCS-06 CA-01
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C O N F I D E N T I A L MOSCOW 16802

E.O. 11652: GDS
TAGS: CGEN, SOPN, PROP, CSCE, UR, US
SUBJECT: WHITNEY/PIPER SLANDER CASE

REF: (A) MOSCOW 16762, (B) MOSCOW 15808

1. EMBASSY CONSULAR OFFICER (CARTER) WHO ATTENDED COURT
SESSION PROVIDES FOLLOWING ADDITIONAL INFORMATION BEYOND
THAT ALREADY CONVEYED REF A:

--JUDGE ALMAZOV AND HIS TWO LAY ASSESSORS RULED THAT
WHITNEY AND PIPER MUST PAY DAMAGES AS STATED IN REF A
WITHIN TEN DAYS AND MUST PRINT RETRACTIONS OF THEIR
ALLEGEDLY SLANDEROUS ARTICLES IN SOVIET RPT SOVIET
PRESS WITHIN FIVE DAYS. ALMAZOV DID NOT RPT NOT MENTION
PROSECUTOR'S FURTHER REQUEST FOR WITHDRAWAL OF REPORTERS'
ACCREDITATION; SOME NEWS REPORTS OF COURT DECISION HAVE
INTERPRETED THIS AS WITHHOLDING THIS BIT OF LEVERAGE FOR
FUTURE USE IF CORRESPONDENTS DO NOT COMPLY WITH RULING
ON FINES AND RETRACTION.

--PLAINTIFF, VIKTOR LYUBOVTSSEV OF "VREMYA" TV NEWS SHOW,
CLAIMED WHITNEY'S AND PIPER'S STORIES HAD DAMAGED
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PAGE 02 MOSCOW 16802 181657Z

REPUTATION OF SOVIET MEDIA AND FACT OF THEIR BEING
PRINTED IN WEST WAS NOT RELEVANT SINCE NY TIMES AND
BALTIMORE SUN ARE ALLEGEDLY AVAILABLE IN SOVIET UNION
AND STORIES IN ANY CASE WERE BROADCAST TO SOVIET AUDIENCE
OVER VOA (MAY 26).

--FILM OF GAMSAKHURDIA'S "CONFESSION" WAS SHOWN IN COUR

AND CAMERAMAN, VIKTOR PAVLOV, TESTIFIED THAT IT WAS SHOWN EXACTLY AS FILMED.

--GAMSAKHURDIA WAS BROUGHT INTO COURTROOM BY TWO GUARDS, WAS SHOWN FILM (THIS WAS SECOND SHOWING OF FULL SIX-MINUTE FILM CLIP), AND STATED THAT IT IN FACT FAITHFULLY REPRESENTED WHAT HE HAD SAID.

--GAMSAKHURDIA, IN TWO SUBTLE WAYS, KEPT HIS DIGNITY AS BATTERED BUT UNBOWED FIGHTER FOR HIS CAUSES. WHEN ALMAZOV INVITED HIM TO SIT DURING FILM SHOWING, GAMSAKHURDIA REPLIED THAT HE WOULD RATHER STAND. IN RESPONSE TO QUESTION FROM PROSECUTOR AS TO WHY HE HAD BEEN CONVICTED, GAMSAKHURDIA SAID HE HAD BEEN SENTENCED FOR ANTI-SOVIET ACTIVITIES AND NOT FOR HIS ACTUAL HUMANITARIAN AND PATRIOTIC ACTIVITIES "WHICH ARE ENTIRELY ANOTHER MATTER".

--PROSECUTOR (VLADIMIR SKAR'YEDOV) ATTACKED WHITNEY'S COMPETENCE AS A JOURNALIST BY REFERRING TO ARTICLE WRITTEN LAST YEAR ON ANTI-SEMITISM IN UKRAINE WHICH NOVOSTI REPRESENTATIVE HAD ALLEGEDLY LOOKED INTO AND FOUND INACCURATE. IN SUMMING UP CASE BEFORE JUDGE'S DECISION, SKAR'YEDOV RECITED USUAL SOVIET CLAIMS OF HOW MUCH USSR IS DOING TO ASSIST FOREIGN JOURNALISTS (VISAS, TRAVEL OPPORTUNITIES, ACCESS TO OFFICIAL SOURCES, ETC.)
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PAGE 03 MOSCOW 16802 181657Z

AND INSISTED JOURNALISTS MUST OBEY SOVIET LAW, REFRAIN FROM PUBLISHING "RUMORS" AND STICK TO "ESTABLISHED FACT".

--ALMAZOV AND HIS TWO COLLEAGUES DELIBERATED FORTY-FIVE MINUTES BEFORE ANNOUNCING THEIR RULING.
2. ON ANOTHER NOTE, ONE LOCAL AMERICAN CORRESPONDENT TOLD US STORY HE HAD PICKED UP FROM WHAT HE DESCRIBED AS "WELL-CONNECTED" SOVIET SOURCE WITH FRIENDS IN MFA PRESS DEPARTMENT. SOVIET SOURCE SAID THAT MOVE AGAINST WHITNEY AND PIPER WAS COOKED UP BY ZAMYATIN PERSONALLY AGAINST WISHES OF MFA (WHICH WAS REPORTEDLY UNENTHUSIASTIC ABOUT THE IDEA). ACCORDING TO SOURCE, WHITNEY AND PIPER WERE THEMSELVES SIMPLY CONVENIENT TARGETS: OBJECT WAS NOT TO GET THEM SPECIFICALLY BUT TO "SEND MESSAGE" TO AMERICAN PRESS CORPS. THIS VERSION HAS ZAMYATIN FURIOUS AT "SLANDEROUS" TREATMENT OF SOVIET UNION IN WESTERN MEDIA AND HAS HIM PLAYING ROLE OF EMINENCE GRISE, CLIPPING UNFAVORABLE ARTICLES AND BRINGING THEM DIRECTLY TO BREZHNEV'S ATTENTION. ODDLY, SOVIET SOURCE SAID THAT ZAMYATIN INDEED HAD CONSIDERED PRECEDENT OF YESSENIN-VOLPIN CASE AGAINST TASS AND NOVOSTI (REF B) BUT IN

TOTALLY NOVEL WAY: AS DEMONSTRATION THAT U.S.
COURTS WERE POWERLESS TO RECIPROCATATE FOR MOVE AGAINST
WHITNEY AND PIPER. ANY RECIPROCAL MOVE AGAINST SOVIET
NEWSMEN WOULD THEREFORE HAVE TO ASSUME A DIFFERENT FORM,
TO WHICH SOVIETS WOULD THEN RESPOND ON ONE-FOR-ONE BASIS
IN NEW ROUND OF RECIPROCITY. WE ARE, OF COURSE, UNABLE
TO VERIFY RELIABILITY OF ABOVE ACCOUNT AND MERELY PASS
IT ON FOR DEPARTMENT'S INFORMATION. MATLOCK

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